

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

| | | |
|-------------------------------|---|----------------------------------|
| LASHON OWENSBY, | : | Case No. 3:16-cv-282 |
| Petitioner, | : | |
| - vs - | : | District Judge Thomas M. Rose |
| | : | Magistrate Judge Michael R. Merz |
| WARDEN, Pickaway Correctional | : | |
| Institution, | : | |
| Respondent. | : | |

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 16), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ordered that consideration of Petitioner's Motion for Relief from Judgment pursuant to Fed. R. Civ. P. 60(b)(1) and (6)(ECF No. 15) is deferred pending decision of his pending federal appeal.

January 11, 2017.

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge